IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 12TH NOVEMBER 2007 / 21ST KARTHIKA 1929

WP(C).No. 30406 of 2007(T)

PETITIONER:

T.R.SATHEESAN, KARTHIKA GARDENS,
(HOUSE NO.177/B) KUNNUMPURAM, THRIKKAKARA.P.O.,
ERNAKULAM.

BY ADV. SRI.K.JAJU BABU
SMT.M.U.VIJAYALAKSHMI
SRI.BRIJESH MOHAN

RESPONDENTS:

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1. THRIKKAKARA GRAMA PANCHAYAT, THRIKKAKARA
ERNAKULAM, REPRESENTED BY THE SECRETARY.

2. THE SECRETARY, THRIKKAKARA GRAMA
PANCHAYAT, THRIKKAKARA, ERNAKULAM.

3. THE SUB INSPECTOR OF POLICE,
THRIKKAKARA, ERNAKULAM.

4. SRI.THOMAS GEORGE, TEEGEE BUILDERS AND
DEVELOPERS, CIVIL LINE ROAD, KAKKANAD,
ERNAKULAM.

BY G.P. SRI.K.J.MUHAMMED ANZAR
BY ADV. SRI.S.SHANAVAS KHAN (R1 & R2)
SMT.S.INDU
SRI.BIJU M.JOHN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 30406 of 2007

Dated this the 12th day of November , 2007

JUDGMENT

There is controversy between the parties as to whether the constructions which have been taken up by the 4th respondent are in conformity with the Municipality Building Rules which have been extended to the Panchayats. The learned Standing Counsel for the Panchayat submits that even in the last inspection which was conducted by the LSGD Engineer, it was found that the constructions do not follow the Building Rules. But the counsel for the petitioner complains that all the inspections so far made have been without notice to the petitioner. Under these circumstances, this writ petition will stand disposed of issuing the following directions:

The Engineer of LSGD having jurisdiction over the first respondent Panchayat will conduct a further inspection of the constructions which have been taken up by the 4th respondent. This inspection shall be with notice to the petitioner and the 4th respondent. After such inspection is conducted, a report will be submitted by the Engineer to the first respondent. The first

respondent will take appropriate action on the basis of that report. The inspection, as directed above, will be conducted by the Engineer (LSGD) at the earliest and at any rate within three weeks of receiving a copy of this judgment.

PIUS C. KURIAKOSE,
JUDGE.

Dpk